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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,404	03/13/2001	Toshio Mamiya	450100-03041	1687

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FROMMER LAWRENCE & HAUG
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NEW YORK, NY 10151

EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/805,404

Applicant(s)

MAMIYA ET AL.

Examiner

Bob Chevalier

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogiro et al in view of Boyle and further in view of either Yada or Kagami et al.

Ogiro et al discloses a removable hard disk drive system which includes substantially the same limitations recited in claim 1, including the feature of the hard disk drive which is held in a desired device for the purpose of recording on the areas of the hard disk and reproducing and outputting the recorded data from the hard disk (See Ogiro et al's column 2, lines 49-65), and the feature of the hard disk being 1.8 inches or less in diameter as specified in the present claim 1. (See Ogiro et al's column 1, line 45).

Ogiro et al fails to specifically disclose the feature of recording and reproducing video signals on and from the hard disk, wherein the video data being inputted and outputted at a transfer rate of 30 Mbps and wherein the hard disk would have a capacity to record 2 GB or more of video data as specified in the present claim 1.

Boyle discloses a video recording/reproducing apparatus which includes a hard disk drive having a hard disk memory for the purpose of recording/reproducing on and from the hard disk video data at a transfer rate of at least 30 Mbps (See Boyle's Figure 1, component 8, and page 3, paragraph [0032]). It is further noted that the feature of the hard disk having a capacity to record 2 GB or more video data as specified in the present claim 1 is also present in Boyle. (See Boyle's page 1, paragraph [0005]).

It would have been obvious to one skilled in the art to modify the Ogiro et al's recording/reproducing apparatus wherein the recording/reproducing means provided thereof would incorporate the capability of recording and reproducing video signals on and from the hard disk, wherein the video data being inputted and outputted at a transfer rate of 30 Mbps and wherein the hard disk would have a capacity to record at least 2 GB or more of video data in the same conventional manner as is shown by Boyle. The motivation is to be able to record and reproduce video data at any desired time. And furthermore, the motivation is to be able to increase the recording density of the disk recording medium, thereby increase the efficiency of the apparatus.

It is further noted that the proposed combination of Ogiro et al and Boyle indicated above does not specifically disclose the feature of the recording areas being

disposed in areas between the servo areas formed at a predetermined angular interval as specified in the present claim 1.

Both Yada and Kagami do disclose a hard disk drive which includes the feature of the recording areas being disposed in areas between the servo areas formed at predetermined angular interval as specified in claim 1. (See Yada's Figure 1A, and also, see Kagami's Figure 2).

It would have been obvious to one skilled in the art to modify the proposed combination of Ogiro et al and Boyle indicated above wherein the recording/reproducing means provided thereof would incorporate the capability of a hard disk means having the recording areas being disposed in areas between the servo areas formed at predetermined angular interval in the same conventional manner as shown by either Yada, or Kagami. The motivation is to increase the accessing speed from the hard disk during reproduction operation as suggested in the prior art.

With regard to claims 2-4, the feature of the hard disk being held in the video device so as to be detachable as specified thereof is present in the proposed combination of the cited references indicated above. (See Ogiro et al's column 6, lines 1-7).

With regard to claims 5-6, the feature of the shape of the hard disk drive being conformed to the type 3 format of PMCIA as specified thereof is present in the proposed combination of the cited references indicated above. (See Ogiro et al's column 6, line 5).

With regard to claims 7-8, the feature of the video data having the MPEG 2 format as specified thereof is present in the proposed combination of the cited references indicated above. (See Boyle's page 2, paragraph [0020], and page 4, paragraph [0040]).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ROBERT CHEVALIER
PRIMARY EXAMINER

B. Chevalier
October 17, 2004.